

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATIONProcedure for the Determination of
Burley Tobacco Acreage Allotments for 1940CONTENTS

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GENERAL

Section 1. Definitions. -- As used in this procedure and in all instructions, forms, and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them, unless the context or subject-matter otherwise requires:

- (a) BURLEY ALLOTMENT PROCEDURE FOR 1940 means this Form 40-Tob-12.
- (b) LOCAL COMMITTEE means the county and community committee utilized under the Act. "County Committee" or "Community Committee" shall have corresponding meanings in the connection in which they are used.
- (c) NEW FARM means a farm on which tobacco was not produced in any of the five years 1935 to 1939 but on which tobacco will be produced in 1940.
- (d) OLD FARM means a farm on which tobacco was produced in one or more of the five years 1935 to 1939.
- (e) OPERATOR means the person who, as owner, landlord, or tenant, is in charge of the supervision and the conduct of the farming operations on the entire farm.
- (f) STATE COMMITTEE means the group of persons so designated within any State to assist in the administration in the State of the Act.
- (g) TOBACCO means tobacco classified in Service and Regulatory Announcement Numbered 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture, as type 31 and known as Burley tobacco.

Sec. 2. Extent of Calculations and Rule of Fractions. --

- (a) All percentages shall be calculated to the nearest whole percent. Fractions of more than fifty-hundredths of one percent shall be rounded upward, and fractions of fifty-hundredths of one percent or less shall be dropped. For example, 87.51% would become 88% and 87.50% would become 87%. (b) All acreage shall be calculated to the nearest one-tenth of an acre. Fractions of more than fifty-thousandths of an acre shall be rounded upward, and fifty-thousandths of an acre or less shall be dropped. For example, 1.051 would become 1.1 and 1.050 would become 1.0.

Sec. 3. Instructions and Forms. -- The Administrator of the Agricultural Adjustment Administration of the United States Department of Agriculture shall cause to be prepared and issued with his approval such instructions and such forms as may be necessary or expedient for carrying out this procedure.

Sec. 4. Applicability of Procedure. -- This Burley Allotment Procedure for 1940 shall relate to, and be effective for, the establishment of farm acreage allotments for Burley tobacco for the year 1940.

ESTABLISHMENT OF ALLOTMENTS FOR OLD FARMS

Sec. 5. Acreage Allotments for Old Farms. -- The farm acreage allotment for an old farm shall be that percentage of the normal acreage for the farm which the State acreage allotment is of the normal acreages for all old farms in the State; provided, that if the acreage allotment so determined for any farm (except a farm operated, controlled, or directed by a person who also operates, controls, or directs another farm on which tobacco is produced) is less than that acreage which, with the normal yield for the farm, would produce 2,400 pounds of tobacco, then such acreage allotment shall be increased to the smaller of (a) 120 percent thereof, or (b) that acreage which, with the normal yield for the farm, would produce 2,400 pounds of tobacco.

Sec. 6. Determination of Normal Acreages for an Old Tobacco Farm. -- The normal acreage for an old tobacco farm shall be the adjusted 1939 normal acreage for the farm subject to such adjustment as the local committee determines is necessary to obtain a normal acreage for the farm which is fair and reasonable in relation to the adjusted 1939 normal acreage for other farms in the county which are similar with respect to the following factors: (1) The total acreage of crop land in the farm suitable for tobacco production, (2) the number of farm workers regularly engaged in the production of tobacco on the farm in 1939, (3) the acreage capacity of barns which are located on the farm and which are in usable condition and available for the curing of tobacco for the farm, (4) the customary crop rotation practices carried out on the farm, and (5) the adaptability of the soil to the growing of tobacco. Such adjustment shall be subject to the following limitations:

- (a) The adjusted 1939 normal acreage for a farm shall not be adjusted upward to more than the larger of twice the adjusted 1939 normal acreage for the farm or two acres;
- (b) The adjusted 1939 normal acreage for a farm shall not be adjusted downward to less than 75 percent thereof, except that, in cases where the harvested acreage of tobacco on a farm in 1939 was more than 50 percent above the 1939 usual acreage, the adjusted 1939 normal acreage for the farm may be adjusted downward to the usual acreage.
- (c) The total upward adjustments shall not exceed the downward adjustments, except as otherwise approved by the State committee;

- (d) All adjustments shall be subject to approval by the State committees.

Sec. 7. Determination of the Adjusted 1939 Normal Acreage. -- The adjusted 1939 normal acreage shall be the 1939 usual acreage decreased if larger and increased if smaller than the 1939 harvested and diverted acreage by one-fifth ($1/5$) the difference between such acreages.

- (a) Usual Acreage. The 1939 usual acreage for any farm shall be computed as follows:

<u>Size of 1939 Tobacco Acreage Allotment</u>	<u>1939 Usual Acreage</u>
2.1 acres or less	125% of allotment
2.2 "	2.9 acres
2.3 "	3.1 "
2.4 "	3.3 "
2.5 "	3.7 "
2.6 acres and over	150% of allotment

- (b) 1939 Harvested Acreage. The 1939 harvested acreage shall be the number of acres actually harvested on the farm in 1939; except, that if the local committee determines that because of flood, drought, hail, bluemold or other tobacco plant diseases, such number of acres was less than the acreage which could have been produced with maximum payments under the 1930 Agricultural Conservation Program, the 1939 harvested acreage shall be adjusted upward to the 1939 tobacco acreage allotment.
- (c) 1939 Diverted Acreage. The 1939 diverted acreage shall be the number of acres obtained by subtracting the 1939 harvested acreage from the 1939 usual acreage; provided, that the diverted acreage shall not exceed the number of acres by which the 1939 tobacco acreage allotment is less than the 1939 usual acreage.
- (d) Subdivided farm. If land operated as a single farm in 1939 has since been subdivided into two or more tracts, the usual acreage, harvested acreage, and diverted acreage of tobacco for the farm shall be apportioned among the tracts in the proportion which the acres of cropland suitable for the production of tobacco on each such tract bore to the total number of acres of cropland suitable for the production of tobacco on the entire farm in 1939; provided, that if the local committee finds that such apportionment would not be equitable in view of the intended production on the farms which include such tracts, it shall make such other apportionment as it determines to be fair and equitable.

Sec. 8. Determination of Normal Yields. -- The normal yield for any farm shall be that yield which the local committee determines is normal for the farm taking into consideration (a) the yields obtained on the farm during the five years 1935-39, making due allowance for abnormal conditions of production; (b) the soil and other physical factors affecting the production of tobacco on the farm; and (c) the yields obtained on other farms in the locality which are similar with respect to such factors. The weighted average of the normal yields for all farms in each county shall not exceed the yield established for the county by the Secretary on the basis of county yields during the years 1935 to 1939, adjusted for abnormal conditions.

ESTABLISHMENT OF ALLOTMENTS FOR NEW FARMS

Sec. 9. Determination of Farm Acreage Allotment. -- The acreage allotment for a new farm shall be that percentage of the normal acreage for the farm which the acreage available for allotment to all such farms in the United States is of the normal acreages of all such farms.

Sec. 10. Determination of Normal Acreages for New Farms. -- The normal acreage for a new farm shall be that acreage which the local committee determines is fair and reasonable for the farm, taking into consideration each of the following factors:

- (a) the average acreage of tobacco grown by the farm operator in the five years 1935 to 1939;
 - (b) the total acreage of crop land in the farm suitable for tobacco production;
 - (c) the number of farm workers on the farm available for tobacco production;
 - (d) the acreage capacity of barns which are located on the farm and which are in usable condition and available for the curing of tobacco for the farm;
 - (e) the customary crop rotation practices carried out on the farm; and
 - (f) the adaptability of the soil to the growing of tobacco:
- Provided, that the normal acreage so determined shall be subject to approval by the State committee and shall not exceed the smallest of--
- (1) the acreage capacity of the barns which are located on the farm and which are in usable condition and available for the curing of tobacco for the farm;
 - (2) the average normal acreage for old farms in the county; or

(3) the average of

- (i) the average normal acreage for old farms in the county and
- (ii) the average acreage of tobacco grown by the farm operator in the five years 1935 to 1939.

Sec. 11. Determination of Normal Yields. -- The normal yield for a new farm shall be that yield per acre which the local committee determines is reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

Sec. 12. Time for Filing Application. -- In order to obtain an allotment for a new tobacco farm in 1940, the operator of the farm shall file an application therefor on 40-Tob-15, prior to February 1, 1940.

[SEAL]

Done at Washington, D. C.,
this 6th day of November, 1939.
Witness my hand and seal of the
Department of Agriculture.

/s/ H. A. WALLACE
Secretary of Agriculture

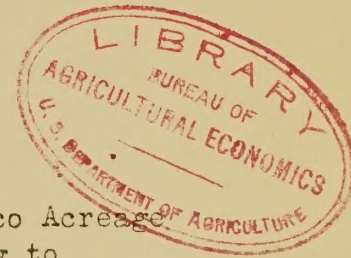
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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

Tobacco Section

Supplement to Procedure for the Determination of
Burley Tobacco Acreage Allotments for 1940



The "Procedure for the Determination of Burley Tobacco Acreage Allotments for 1940" (40-Tob-12) is hereby amended by adding to Sec. 10 the following:

"Notwithstanding any other provisions of this section a normal tobacco acreage shall not be established for any new farm unless the following conditions have been met:

- (1) The farm operator shall have had two years or more experience in growing Burley tobacco as a share-cropper, tenant, or as a farm operator during the past five years;
- (2) The farm operator shall be living on the farm and largely dependent on this farm for his livelihood;
- (3) There shall be adequate curing barn space available, on the farm, for the curing of tobacco;
- (4) The farm covered by the application shall be the only farm owned or operated by the farm operator on which any tobacco (Burley or other kinds) is produced;
- (5) No kind of tobacco other than Burley will be grown on the farm in 1940; and
- (6) There shall be 10 acres or more of cropland in the farm."

Done at Washington, D. C.
this 26th day of March, 1940.
Witness my hand and seal of the
Department of Agriculture.

/s/ H. A. Wallace

Secretary of Agriculture.

